UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN Case: 2:24-cv-10151

Assigned To: Steeh, George Caram Referral Judge: Patti, Anthony P.

Assign. Date: 1/19/2024 Description: REM STATE OF

MICHIGAN V AARON LEWIS (SS)

STATE OF MICHIGAN Plantiffs,

Case No(s).

[formerly State of Michigan 50<sup>th</sup> District Court-Pontiac-Case No.2023-230288FY-FY and State of Michigan 6<sup>th</sup> Judicial Circuit Court Oakland County Case No. 2020-50042-DM ]

VS.

AARON BRADFORD LEWIS Defendant(s).

## **NOTICE OF REMOVAL**

Defendant Aaron Bradford Lewis hereby removes Case No. 2023-230288FY-FY from the State of Michigan 50<sup>th</sup> District Court-Pontiac and State of Michigan 6<sup>th</sup> Judicial Circuit Court Oakland County Case No. 2020-50042-DM to the United States District Court-Eastern District pursuant to 28 U.S.C § § 1331, 1441-1453, and as grounds for its removal stated as follows.

#### STATEMENT OF THE CASE

- 1. On 12/21/2023, Plantiffs STATE OF MICHIGAN filed a Notice to Appear in the 50<sup>th</sup> District Court Pontiac Michigan styled State of Michigan vs Lewis Case No.2023-230288FY-FY (the "State Court Action") A copy of the Notice to Appear screen shot, with exhibits, is attached as Exhibit A hereto
- 2. On 02/27/2023 (file date 3/21/2023), Plantiffs STATE OF MICHIGAN filed a Complaint in the 50<sup>th</sup> District Court Pontiac Michigan styled State of Michigan vs Lewis Case No.2023-230288FY-FY (the "State Court Action")
- 3. Aaron Bradford Lewis was never served with the summons and/or Complaint
- 4. The Plantiff can assume the complaint purports to assert two causes of action including (a) failure to comply with an order to pay child support and (b) leaving the state to avoid payment of child support.
- 5. Plaintiffs in this action request jail time or payment of alleged arrearages
- 6. The Defendant has had a illegal warrant issued thru 6<sup>th</sup> Judicial Circuit Court Oakland County and under duress forced to pay fees and support thru the state while the court continued to deny with no justification or ignoring Defendants request for modification to court ordered parenting time when custodial parent refused

- 7. The Defendants request for appeal of decision regarding completion of court ordered anger management counseling has been ignored thru 6<sup>th</sup> Judicial Court Oakland County Exhibit B
- 8. The Defendants Motion to Change parenting time order has been ignored by 6<sup>th</sup> Judicial Court Oakland County-Exhibit C
- 9. The Defendant had paid court ordered child support in the past, under duress threat of imprisonment and alienation from his children, until defendant discovered the illegal procedures and lack of due process from the initiation of the child support actions thru 6<sup>th</sup> Judicial Court Oakland County
- 10. The Defendant has canceled his payment account thru the state-Exhibit D hereto
- 11. The Defendant does support his children (16 and 14 years of age) weekly with payments Exhibit E hereto
- 12. The Defendant paid the rent for six (6) months at the beginning of the legal separation when he was illegally kicked out of the residence he and his children and spouse at the time resided in. The arrearages in question that started this entire case where being calculated and accrued while Defendant was paying \$1,500 per month to support the living of his now ex spouse and children. Totaling \$9,000 which is over 80% of the alleged arrearages.

## FEDERAL QUESTION JURISDICTION UNDER 28 U.S.C § 1331

- 13. This court has jurisdiction over this matter under 28 U.S.C § 1331, because the Plantiff Complaint alleges Defendant
  - 1. failed to pay child support obligations, 18 U.S.C § 228
  - 2. left the state to avoid paying child support obligations

## DIVERSITY JURISDICTION UNDER 28 U.S.C § 1332 (a)

- 14. This court has jurisdiction over this matter under 28 U.S.C § 1332(a), because there is complete diversity of citizenship between Plantiffs and Aaron B. Lewis and more than \$75,000, exclusive of interest and cost, is at stake.
- 15. Plaintiff alleges that they are resident of the State of Michigan and that their primary residence is 3030 W Grand Blvd # 10200, Detroit, MI 48202, Michigan
- 16. Plaintiffs in this action request jail time or payment of alleged arrearages. Due Process has not been followed in this case or the subsequent case. The unlawful arrest and detainment of Aaron Bradford Lewis on June 17,2023 cost the Defendant to miss the signing of a \$65,000 loan which subsequently was withdrawn for failure to close. Lose of contract work totaling \$7,500 Bond payment of \$2,017 and the alleged \$12,000 in

back child support. Thus well over \$75,000 is in controversy and the jurisdictional threshold under 28 U.S.C § 1332(a) is satisfied.

## ALL PROCEDURAL REQUIREMENTS FOR REMOVAL HAVE BEEN SATISFIED

- 17. Pursuant to 28 U.S.C § 1446 (a) and Rule 11 of the Federal Rules of Civil Procedure, a true and correct copy of all of the process, pleadings, order, and documents from the State Court Action have been served upon State of Michigan Attorney Generals office are being filed with this Notice of Removal. Aaron B. Lewis will file true and legible copies of all other documents on file in the State Court Action, as well as certification pursuant to Local Rule xxx, within 30 days of the filing of this Notice of Removal.
- 18. This Notice of Removal has been filed within 30 days of the date that Aaron Bradford Lewis was served with the summons or the complaint or notice to appear in this matter. Removal is therefor timely in accordance with 28 U.S.C. § 1446(b)
- 19. Venue is proper in this Court pursuant to 28 U.S.C § § 1441(a) and 1446(a) because the U.S. District Court Eastern District of Michigan is the federal judicial district embracing the 50th District Court of Pontiac, Michigan where the State Court Action was originally field.

### **CONCLUSION**

By this Notice of Removal, Aaron Bradford Lewis does not waive any objections it may have as to service, jurisdiction or venue, or any other defense or objections it may have to this action. Defendant intends no admission of fact, law or liability by this Notice, and expressly reserves all defenses, motions and/or pleas.

Dated: January 18, 2024

Aaron Bradford Lewis

By: Mara Delins

Defendant

PO BOX 6842 Detroit MI 48206

313-405-7337

aaronb@aaronblewis.com

## **CERTIFICATE OF SERVICE**

This is to certify that foregoing NOTICE OF REMOVAL, with exhibits, was sent via United States mail on the 18 day of January, 2024, postage prepaid thereon to:

Dana Nessel and the Michigan Department of Attorney General G. Mennen Williams Building 525 W. Ottawa Street P.O. Box 30212 Lansing, MI 48909

Dana Nessel and the Michigan Department of Attorney General Cadillac Place, 10th Floor 3030 W. Grand Boulevard, Suite 10-200 Detroit, MI 48202

Phone: 313-456-0240 Fax: 313-456-0243

Judge Amanda Sheton
1200 N. Telegraph Road
Pontiac, MI 48341
Oakland County Courthouse
First Floor, Courtroom1A
Pontiac, MI 48341
Phone:248-858-0335

sheltonchambers@oakgov.com

Attorneys for Plantiffs

# EXHIBIT A Notice of Appearance



## **EXHIBIT B**

## **Anger Management Certs**

CASE # 2020-500422-DM



Document Submitted for Filing to MI Oakland County 6th Circuit Court.

# EXHIBIT B (contd) Anger Management Certs

Anger Management Certs
ease# 2020-500422-DM anger mgt counsell to continue to the con
Certificate of Completion  Covington-McGee Christian Counseling presents this certificate to acknowledge the completion of our Anger Management education course by
Claren Bradford Jours  8 Ars.  Bate Bate Hollowin Ha Gee HARLE This, THING
Dr. Mellanise McGee, AAMP, Ph. D., IPHMNM  Centrocker - Cool Tenth 916  Control wedges - Cool Tenth
case# 2020-500422-DM an:
Covington-McGee Christian Counseling B026 Vantage Drive Suite 102 San Antonio, selection of Mobile Email:  Certificate of Completion-Anger Management Program
Notification Of: Enrollment Progress / Completion Violation  To: Court Oakland Court French French To Court
Allondon Homeray Opeday  Allondon Homeray Opeday  Allondon Homeray Opeday  Are officially Court  From Consider Monthly Dune Swite 102  Address See La Marie, Te 78230  Office Number 1880- 1618. 7823 Monthly 1880. 579. 9955  Erail: driveling geed philos.com
case# 2020-500422-DM anger mgt counselling cert
Namelaron Bradford Jours 20.0.0. 1/7/29 Address 1638 Woodrom Wilson 248.252.0009 Detroit, Michigan 48206
Intake On Walting List Enrolled 5/6/2021  Re-Enrolled Dismissed Completed Pending Completed 19/8/2021
Other  Number of Sessions:  2
Report:  Participation is Satisfactory  No Further Participation Needed  Continued Participation Recommended  Participation is Unsatisfactory  Leck of Cooperation
Poor Attendance  Comments/Reasons: (Required for unsatisfactory or continued participation)  This client has completed a 8 hour sessions/hour Anger Management Program.  Written signature (Laborated As Agency Representative)  Out (1/4/2011)  Out (1/4/2011)  Out (1/4/2011)  Frint Name DR. (Mellonise Management As Agency Representative)  Print Name DR. (Mellonise Management As Agency Representative)
COMMISSION - God Indiah 946 (and) announced  Dr Mel Article A.M.P. COMPANION BURGETON COMMISSION  BB #1 Nummer Burgeton Commission  dispersion of the Commission of the Commission  dispersion of the Commission of the Commis

Document Submitted for Filing to MI Oakland County 6th Circuit Court.

## **EXHIBIT C**

## Ignored Motion to change parenting time

STATE OF MICHIGAN SIXTH JUDICIAL CIRCUIT FAMILY DIVISION Court Address, 230 Elizabeth Lake, PO Box 4	MOTION TO CHANGE PARENTING TIME ORDER (FOC REFEREE HEARING ONLY) 436012, Pontiac, MI 48343-6012 Telephone No: (248)		858-0424; <u> </u>	CASE NO. 2020-500422-DM FAX No: (248) 858-0461
Р	LEASE PRINT OR	TYPE INFORMA	TION	\$100.00 Filing Fee
Plaintiff's Name, Address, Email & Telep ERICA CAMILLE LEWIS 1159 WOODSIDE TRAIL DR TROY MI 48085 ERICALEWIS990@GMAIL.COM 248-914-3804		AARON BRA 7638 WOOD DETROIT M	ADFORD LE DROW WILS I 48206 MULTIFAMI	
A judgment or order regar     CAMRYN-OLIVIA LEWIS AN	ding parenting tim	ne with: (names of EWIS	children)	
has has not be a tinterest of (You must provide specific reason HAVE COMPLETED ANGER	sons for requesting th	is change.)		
3. I ask the court to change to (You must specify what parent) SUMMER AND HOLIDAYS (X	ing time schedule you	are requesting.)	ER MONTH	and belief AND that I  08/10/2022 but  ing Motion  DC 5 - (effective 6/2022
I declare that the above state have requested the above ch that request has been refused	ange from the othe		formation 05/16/2022 Date	n and belief AND that I 208/10/2022 , but
04/24/2023		Mars	13L	w-
Date		Signature of	r Party Fil	ing Motion
MTC - MOTION TO CHANGE PARE	ENTING TIME ORDER		F	OC 5 - (effective 6/2022

# EXHIBIT D cancelled account MISupport

1/19/24, 8:46 AM Mail - Aaron Lewis - Outlook

From: Aaron Lewis <aaronb@multifamilywarehouse.com>

**Sent:** Sunday, December 31, 2023 5:47 AM **To:** Expertpay <customer.service@Expertpay.com>

Subject: [External] - rDemand to delete my accountFw: MiChildSupport Notification: ORDER TO CHARGE IN 1 DAY

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

This account was opened and created under duress and fraud I rebutt all assumptions and presumptions as it relates to this account and its origination and DEMAND its closure and confirmation of such closure be sent to this email

From: <u>DoNotReply@michigan.gov</u> < <u>DoNotReply@michigan.gov</u>>

Sent: Sunday, December 31, 2023 2:23 AM

To: Aaron Lewis <aaronb@multifamilywarehouse.com>

Subject: MiChildSupport Notification: ORDER TO CHARGE IN 1 DAY

12/31/2023 Greetings Aaron,

\*\*\*\* This is an automated email message. Please do not reply to this message. \*\*\*\*

You have a new Child Support Notification. For security reasons, you can view the full notification here: <a href="https://micase.state.mi.us/micaseapp/enrolled/noti/notifications.html">https://micase.state.mi.us/micaseapp/enrolled/noti/notifications.html</a>

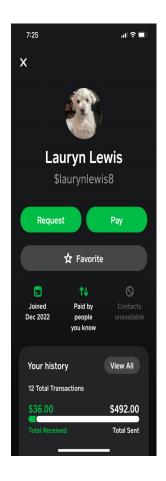
New notification: ORDER TO CHARGE IN 1 DAY - Child Support will charge your account within 1 day. Details: There are additional details to this alert - to view go to <a href="https://micase.state.mi.us/micaseapp/enrolled/noti/notifications.html">https://micase.state.mi.us/micaseapp/enrolled/noti/notifications.html</a>

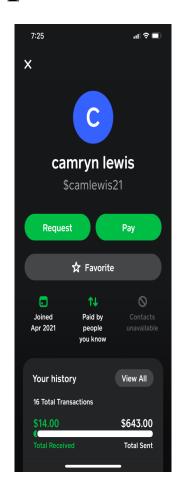
This notification was sent to an email account by the Child Support Program of the State of Michigan. If you would like to stop receiving notifications, or wish to manage your notification settings, please click the following link: <a href="https://micase.state.mi.us/micaseapp/registered/accountsettings.html">https://micase.state.mi.us/micaseapp/registered/accountsettings.html</a>

Sincerely,

MiChildSupport Services

# EXHIBIT E Child Support





## JS 44 (Rev. 10/20) Case 2:24-cv-10151-GCS-APPINE For the Rev. 10/20 Case 2:24-cv-10151

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS STATE OF MICHIGAN				<b>DEFENDANTS</b> Aaron Bradford Lewis						
(b) County of Residence of First Listed Plaintiff  (EXCEPT IN U.S. PLAINTIFF CASES)  (c) Attorneys (Firm Name, Address, and Telephone Number)  DENNIS JAMES ATTORNEY GENERAL  DANA NESSEL, ATTORNEY GENERAL				County of Residence of First Listed Defendant Wayne  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  Attorneys (If Known)  Pro-se						
II. BASIS OF JURISD  1 U.S. Government Plaintiff	ICTION (Place an "X" in C  3 Federal Question (U.S. Government N			TIZENSHIP OF CASES OF This State		NCIPA  DEF  1		and One Box for I		
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship	p of Parties in Item III)	Citize	n of Another State	<b>2</b>	□ 2   □	Incorporated and P of Business In A	Principal Place		<b>□</b> 5
				n or Subject of a eign Country	<u> </u>	<u> </u>	Foreign Nation		□ 6	6
IV. NATURE OF SUIT	(Place an "X" in One Box One		LEO	RFEITURE/PENALT			for: Nature of S	_	SCRIPTION STATUT	
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise    REAL PROPERTY     210 Land Condemnation   220 Foreclosure     230 Rent Lease & Ejectment     240 Torts to Land     245 Tort Product Liability     290 All Other Real Property	PERSONAL INJURY  310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle Product Liability 360 Other Personal Injury Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 448 Education	PERSONAL INJURY  365 Personal Injury - Product Liability  367 Health Care/ Pharmaceutical Personal Injury Product Liability  368 Asbestos Personal Injury Product Liability  PERSONAL PROPERT  370 Other Fraud  371 Truth in Lending  380 Other Personal Property Damage  385 Property Damage  Product Liability  PRISONER PETITION Habeas Corpus:  463 Alien Detainee  510 Motions to Vacate Sentence  530 General	7	LABOR  O Fair Labor Standards Act O Labor/Management Relations O Railway Labor Act Family and Medical Leave Act O Cher Labor Litigatio Employee Retirement Income Security Act  IMMIGRATION 2 Naturalization Applic Other Immigration Actions	8881	422 App   423 Wif   28   PROPE   820 Cop   830 Pate   840 Tra   880 Def   Act   SOCIA   861 HI/   862 Bla   863 DIV   864 SSI   865 RSI   871 IRS	peal 28 USC 158 hdrawal USC 157  RTY RIGHTS pyrights ent ent - Abbreviated w Drug Application	375 False C 376 Qui Ta 3729(a 400 State R 410 Antitru 430 Banks 450 Comm 460 Deport 470 Racket Corrup 480 Consur (15 US) 485 Teleph Protec 490 Cable/s 850 Securit Exchai 890 Other S 891 Agricu 893 Enviro 895 Freedo Act 896 Arbitra 899 Admin Act/Re	Claims Act m (31 USt n) leapportion leapportion leap leapport leap leapport leappo	nment ng nced and titions r 1692) nmer nodities/ Actions f Matters mation rocedure ppeal of
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VI. CAUSE OF ACTIO	ON 42 U.S. Code Brief description of cau							ures and civil	rights in o	doin so
VII. REQUESTED IN COMPLAINT:		IS A CLASS ACTION		EMAND \$		C	CHECK YES only URY DEMAND:			int:
VIII. RELATED CASI IF ANY	(See instructions):	JUDGE Amanda S	Shelton			_DOCK	ET NUMBER <u>20</u>	)20-500422-D	M	
DATE January 17, 2024		SIGNATURE OF ATT	ORNEY C	F RECORD						
FOR OFFICE USE ONLY										
RECEIPT # AM	MOUNT	APPLYING IFP		JUDG	iΕ		MAG. JUI	OGE		

# Case 2:24-cv-10151-GCS-APP ECF No. 1, PageID.12 Filed 01/19/24 Page 12 of 12 PURSUANT TO LOCAL RULE 83.11

1.	Is this a case that has been previously dismissed?	Yes
	give the following information:	■ No
	D.:	
Juage:		
2.	Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)	Yes No
If yes, (	give the following information:	
Court: _	SOM 6th Judicial Circuit Court Oakland Cnty	
Case N	o.: <u>2020-50042-DM</u>	
	Amanda Shelton	
	failed to schedule new hearing on filed objection-failed to hear request fo	or updated parentingi